Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. APPEAL NO. 1229 OF 2005

APPELLANT
CLAIMANT

Smt. Tijiharin Bai Wife of Shri Bhangwani Ram Satnami, aged about 35 years, Resident of Village Dahi, Tahsil Kurud, District Dhamtari (C.G.).

VERSUS

RESPONDENTS

1. Mohan Lal Sahu Son of Shri Maniram Sahu, aged about 30 years, Resident of Village Gujra, Tahsil Kurude, District Dhamtari (C.G.).

DRIVER

2. Kushal Kumar Son of Shri Keshavram, aged about 35 years, Resident of Village Bhatheli, Tahsil Kurud, District Dhamtari (C.G.).

OWNER OF VEHICLE

3. The New India Insurance Company Limited, Power House Bhilai, District Durg (C.G.).

INSURER

P.R. No. 2578/05
Presented by Shri S.P. Sahu
dated 30/9/05

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT, 1988

CLAIM BEFORE THE LEARNED CLAIMS TRIBUNAL Rs. 1,00,000/-

CLAIM REJECTED BY THE LEARNED CLAIMS TRIBUNAL

Being aggrieved by the impugned award dated 15.07.2005, passed in Claim Case No. 365/2004, by the Additional Motor Accident Claims Tribunal, Dhamtari (C.G.), (ANNEXURE A/1) the appellant, most humbly and respectfully to prefer this appeal inter alia on the following facts and grounds amongst others:-

HIGH COURT OF CHHATTISGARH; BILASPUR

(LOK ADALAT)

MISCELLANEOUS APEAL NO. 1229/2005

Appellant : Smt. Tijiharin Bai

Versus

Respondents: Mohan Lal Sahu & Others.

(Arising out of Claim Case No. 365/2004)

28-11-2006

Shri P.P. Sahu, counsel for the appellant.

None for respondents No.1 & 2.

Shri Sanjay Kumar Bhatt, Authorized Signatory, the New India Insurance Company Limited with Shri Sankalp Jaiswal, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) Respondent No.3 shall pay Rs.3,000/- (Rupees three thousand only) to the appellant.
2) In view of the above, appeal against respondent No.1 & 2 stands dismissed.
3) Out of the above amount, Rs.30/- (Rupees Thirty Only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
4) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
5) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K. Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

padma

Judge -Lok Adalat
High Court of Chhattisgarh
Bilaspur